

# EXHIBIT A

2120 - Served                      2121 - Served  
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 2420 - Served By Publication   2421 - Served By Publication  
 Summons - Alias Summons

(08/01/18) CCG 0001 A

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Brenda Herron

(Name all parties)

v.

Gold Standard Baking, Inc.

Case No. 2020L012221

☒ SUMMONS    ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance and pay the required fee **within thirty (30) days after service of this Summons**, not counting the day of service. To file your answer or appearance you need access to the internet. Please [visit www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org) to initiate this process. Kiosks with internet access are available at all Clerk's Office locations. Please refer to the last page of this document for location information.

**If you fail to do so, a judgment by default may be entered against you for the relief requested in the complaint.**

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois  
[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

## Summons - Alias Summons

(08/01/18) CCG 0001 B

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>, or talk with your local circuit clerk's office.

Atty. No.: 65004

Witness: \_\_\_\_\_

Atty Name: Thomas R. Kayes

11/17/2020 4:17 PM DOROTHY BROWN

Atty. for: Brenda Herron

DOROTHY BROWN, Clerk of Court

Address: 2045 W Grand Ave, Ste B

City: Chicago

Date of Service: \_\_\_\_\_  
 (To be inserted by officer on copy left with  
 Defendant or other person)

State: IL Zip: 60612

Telephone: 708-722-2241

Primary Email: tom@kayes.law



## CLERK OF THE CIRCUIT COURT OF COOK COUNTY OFFICE LOCATIONS

- Richard J Daley Center  
50 W Washington  
Chicago, IL 60602
- District 2 - Skokie  
5600 Old Orchard Rd  
Skokie, IL 60077
- District 3 - Rolling Meadows  
2121 Euclid  
Rolling Meadows, IL 60008
- District 4 - Maywood  
1500 Maybrook Ave  
Maywood, IL 60153
- District 5 - Bridgeview  
10220 S 76th Ave  
Bridgeview, IL 60455
- District 6 - Markham  
16501 S Kedzie Pkwy  
Markham, IL 60428
- Domestic Violence Court  
555 W Harrison  
Chicago, IL 60607
- Juvenile Center Building  
2245 W Ogden Ave, Rm 13  
Chicago, IL 60602
- Criminal Court Building  
2650 S California Ave, Rm 526  
Chicago, IL 60608

### Daley Center Divisions/Departments

- Civil Division  
Richard J Daley Center  
50 W Washington, Rm 601  
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Hours: 8:30 am - 4:30 pm
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50 W Washington, Rm 802  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm

- Domestic Relations Division  
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Hours: 8:30 am - 4:30 pm
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Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- Law Division  
Richard J Daley Center  
50 W Washington, Rm 801  
Chicago, IL 60602  
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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

BRENDA HERRON,

*Plaintiff,*

v.

GOLD STANDARD BAKING, INC.,

*Defendant.*

No.

2020L012221

Hon.

**COMPLAINT**

1. Brenda Herron worked for Gold Standard Baking, Inc. Standard Baking required Herron to use a timekeeping system that collected and stored her fingerprints. This violated the Biometric Information Privacy Act. The Act allows Herron to recover liquidated damages “for each” of Standard Baking’s negligent or intentional violations. Herron brings this individual suit to recover for each and every violation.

**PARTIES**

2. Plaintiff Brenda Herron is a person living in Illinois.

3. Defendant Gold Standard Baking, Inc. is an Illinois corporation with its principal place of business in Chicago. It does business in Illinois.

**JURISDICTION AND VENUE**

4. This Court has personal jurisdiction over Standard Baking because Standard Baking is headquartered in Illinois and this case arises from its acts here.

5. Venue is proper here because Standard Baking conducts business in this county and because the unlawful conduct occurred here.

**ALLEGATIONS**

6. The Biometric Information Privacy Act became law in Illinois in 2008.

7. Standard Baking employed Herron for roughly 16 months starting in 2017.

8. Herron worked five days per week.

9. Standard Baking required Herron to use a fingerprint scanner to clock in.

10. A fingerprint is a protected biometric identifier under the Act.

11. The first time she used it, the scanner captured an image of Herron's fingerprint.

12. It then converted that image into a unique "template," based on the fingerprint.

13. The template is protected biometric information under the Act.

14. Then, when Herron used the scanner in the future, the scanner captured a new image of her fingerprint, created a new template, and compared the new template to the original to ensure that Herron was Herron.

15. Standard Baking did not inform Herron in writing that it was collecting or storing her fingerprint or template.

16. Standard Baking did not inform Herron why it was collecting, storing, and using her fingerprint or template.

17. Standard Baking did not inform Herron for how long it planned to collect, store, and use Herron's fingerprint or template.

18. Standard Baking did obtain a written release from Herron permitting it to obtain her fingerprint or template.

19. Herron had to scan her finger prints at least 8 times per workday: to clock in, to clock out for a break, to clock in after the break, to clock out for lunch, to clock in from lunch, to clock out for a second break, to clock in from that second break, and to clock out at the end of her shift. Some days Herron had to scan her fingerprints more than that. For example, when she worked overtime, she had to clock in and out for an additional break.

20. Each scan was a separate violation of the Act.
21. Herron is entitled to statutory damages for each violation.

**COUNT I**

**Biometric Information Privacy Act, 740 ILCS 14/1-25**

22. Herron realleges all other allegations here.
23. The Biometric Information Privacy Act makes it unlawful for private entities to obtain and disseminate an employee's fingerprint and any biometric information derived from it, like a template, absent informed consent.
24. Standard Baking is a private entity covered by the Act.
25. Standard Baking obtained Herron's and templates without her informed consent each time she used the fingerprint scanner.
26. Standard Baking therefore violated Herron's rights under the Act each time Herron used the fingerprint scanner.
27. Standard Baking's violations were, at least, negligent because, among other reasons, it failed to make any effort to comply with a simple, decade-old law.
28. Standard Baking's violations entitle Herron to liquidated damages for each fingerprint scan, attorneys' fees and costs, and other relief.

**PRAYER FOR RELIEF**

WHEREFORE, Herron respectfully requests that this Court enter Judgment:

- a. Awarding statutory damages of \$5,000 for each intentional and/or reckless violation of BIPA, pursuant to 740 ILCS 14/20(2);
- b. Awarding statutory damages of \$1,000 for each negligent violation of BIPA, pursuant to 740 ILCS 14/20(1);

- c. Awarding reasonable attorneys' fees, costs, and other litigation expenses pursuant to 740 ILCS 14/20(3);
- d. Awarding pre- and post-judgment interest, as allowable by law; and
- e. Awarding such further and other relief as the Court deems just and equitable.

Dated: November 13, 2020.

Respectfully submitted,

BRENDA HERRON

By: /s/ Thomas R. Kayes  
*One of Plaintiff's Attorneys*

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